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OFFICE OF PETITIONS

In re Application of :
Nosov, et al. :
Application No. 09/509,256 :
Filed: March 22, 2000 :
Attorney Docket No. P-001ERM :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(a) filed July 21, 2005.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the non-final Office action mailed July 1, 2004. The non-final Office action set shortened statutory period for reply of three months from its mailing date. Petitioner argues that a reply to the non-final Office action was sent by facsimile on November 1, 2004, along with a request for an extension of time within the first month. The reply was not found in the application file, but the evidence is convincing that a reply to the non-final Office action was transmitted by facsimile on November 1, 2004.

The file is now being forwarded to Technology Center 1700, GAU 1764 for further processing.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3222.

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